

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HITACHI CONSUMER ELECTRONICS CO.,
LTD., and HITACHI ADVANCED DIGITAL,
INC.,

Plaintiff,

v.

TOP VICTORY ELECTRONICS
(TAIWAN)CO. LTD., TPV INT'L (USA), INC.,
ENVISION PERIPHERALS, INC., TOP
VICTORY ELECTRONICS (FUJIAN) CO.
LTD., TPV ELECTRONICS (FUJIAN) CO.
LTD., TPV TECHNOLOGY LTD., and VIZIO,
INC.,

Defendants.

CIVIL ACTION NO. 2:10-CV-260-JRG

JURY

**DECLARATION OF JEFFREY B. PLIES IN SUPPORT OF HITACHI'S
REPLY IN FURTHER SUPPORT OF MOTION TO STRIKE CERTAIN WITNESSES
FROM DEFENDANTS' TRIAL WITNESS LIST**

I, Jeffrey B. Plies, declare as follows:

1. I am an attorney with Dechert LLP, counsel for Plaintiffs Hitachi Consumer Electronics Co., Ltd. and Hitachi Advanced Digital, Inc. I have knowledge of the following and, if called as a witness, could and would testify competently to the contents of this declaration.

2. Attached hereto as Exhibit 1 is a true and correct copy of and e-mail chain between James Ragon of Dechert and Dan Moffett and Eric Klein of Akin Gump, dated September 4, 2012.

3. Attached hereto as Exhibit 2 is a true and correct copy of a letter from Sharon Gagliardi of Dechert to Dan Moffett of Akin Gump and Vision Winter of O'Melveny & Myers, dated October 3, 2012.

4. Attached hereto as Exhibit 3 is a true and correct copy of an e-mail from Marty Black of Dechert to Vision Winter, dated November 19, 2012.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed March 14, 2013, in Austin, Texas.

/s/ Jeffrey B. Plies
Jeffrey B. Plies
Attorney for Plaintiffs
*Plaintiffs Hitachi Consumer
Electronics Co., Ltd. and
Hitachi Advanced Digital,
Inc.*